



PATENT

Customer No. 22,852
Attorney Docket No. 02887.0274

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Shinya TAKYU et al.) Group Art Unit: 2823
Application No.: 10/815,934) Examiner: Kebede, Brook
Filed: April 2, 2004) Confirmation No.: 9440
For: MANUFACTURING METHOD OF)
SEMICONDUCTOR DEVICE)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

Assignee, Kabushiki Kaisha Toshiba, Lintec Corp. ("Toshiba"), a corporation of Japan and having its principal place of business at 1-1, Shibaura 1-Chome, Minato-Ku, Tokyo, Japan and 22-23, Honcho, Itabashi-Ku, Tokyo, Japan, represents that it is the assignee of the entire right, title and interest in and to the instant application identified above, Application No. 10/815,934, filed April 2, 2004, for MANUFACTURING METHOD OF SEMICONDUCTOR DEVICE in the names of Shinya Takyu, Tetsuya Kurosawa, Kinya Mochida, and Kenichi Watanabe, as indicated by assignment duly recorded in the United States Patent and Trademark Office (USPTO) beginning at Reel 015789, Frame 0843, on September 16, 2004.

Assignee, Toshiba, further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent Application No. 10/808,298, filed March 25, 2004,

as indicated by assignment duly recorded in the USPTO beginning at Reel 015867, Frame 0196, on October 7, 2004. Assignee, Toshiba, further represents that to the best of Assignee's knowledge and belief, all right, title, and interest in and to each of the instant application and Application No. 10/808,298 are in assignee.

Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, Application No. 10/815,934, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of any patent issuing from Application No. 10/808,298. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent issuing from Application No. 10/808,298 are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any patent issuing from Application No. 10/808,298 as presently shortened by any terminal disclaimer, in the event that any patent issuing from Application No. 10/808,298 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$130.00 is being filed with this disclaimer. If a check for the required fee is not filed concurrently herewith or if there are any additional fees in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Richard V. Burgujian

Dated: December 6, 2005

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